

HJRES 107

Making continuing appropriations for the fiscal year 2005, and for other purposes.

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Sep 28, 2004

Current Status: Became Public Law No: 108-309.

Latest Action: Became Public Law No: 108-309. (Sep 30, 2004)

Law: 108-309 (Enacted Sep 30, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-joint-resolution/107>

Sponsor

Name: Rep. Young, C. W. Bill [R-FL-10]

Party: Republican • **State:** FL • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Referred To	Sep 28, 2004
Budget Committee	House	Referred To	Sep 28, 2004

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
108 HRES 802	Procedurally related	Sep 29, 2004: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since it was introduced. The expanded summary of the House passed version is repeated here.)

Makes continuing appropriations for FY 2005.

(Sec. 101) Appropriates amounts for continuing, at the current rate of operations, projects or activities conducted in FY 2004 and for which appropriations, funds, or other authority were made available in the: (1) Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004; (2) Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004; (3) District of Columbia Appropriations Act, 2004; (4) Energy and Water Development Appropriations Act, 2004; (5) Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004; (6) Department of Homeland Security Appropriations Act, 2004; (7) Department of the Interior and Related Agencies Appropriations Act, 2004; (8) Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004; (9) Legislative Branch Appropriations Act, 2004; (10) Military Construction Appropriations Act, 2004; (11) Transportation, Treasury, and Independent Agencies Appropriations Act, 2004; and (12) Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004.

(Sec. 106) Continues through the date specified in Sec. 107 activities authorized for 2004 in title XIX (Medicaid) of the Social Security Act with respect to requirements that a State plan provide for making medical assistance available (but only for premiums payable for January 1998 through September 2004) for Medicare cost-sharing for certain qualified Medicare beneficiaries whose income exceeds the threshold level. Deems such activities to be direct spending.

(Sec. 107) Provides funding under this resolution until the earliest of: (1) enactment of an appropriation for any project or activity provided for in this joint resolution; (2) enactment of the applicable appropriations Act without any provision for such project or activity; or (3) November 20, 2004.

(Sec. 112) Continues until the date specified in Sec. 107: (1) specified Franchise Fund pilot programs, including the Treasury Franchise Fund, under the Federal Financial Management Act of 1994; and (2) the Secretary of Defense's temporary limited authority to use operation and maintenance funds for construction projects outside the United States.

(Sec. 114) Makes amounts available for the Strategic National Stockpile (SNS). Prohibits SNS funds from being made available to the Department of Homeland Security (DHS) under this joint resolution. Reduces DHS funds made available under this joint resolution by the amount otherwise attributable to SNS funding.

(Sec. 115) Continues, until the date specified in Sec. 107, the development company debenture and small business investment company programs under the Small Business Investment Act of 1958.

(Sec. 116) Continues through the date specified in Sec. 107 or the enactment into law of a defense authorization Act for FY 2005, whichever is earlier, the authority of the Secretary or the Secretary concerned to: (1) provide, wherever practicable, prepaid phone cards, or an equivalent telecommunications benefit which includes access to telephone service to certain members of the armed forces stationed outside the United States; (2) use Department of Defense (DOD) funds for a unified counterdrug and counterterrorism campaign in Colombia; (3) temporarily waive the limitation on funding for a chemical weapons destruction facility in Russia; (4) provide travel allowances for family members of a member of the armed forces who is ill or injured as a result of service on active duty in support of Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom, without regard to whether there is a determination that the

presence of the family member may contribute to the member's health and welfare; (5) provide for procurement of civilian attire for a member of the armed forces medically evacuated for treatment in a medical facility, or for travel to a medical facility or the member's home station, by reason of an illness or injury incurred or aggravated on such active duty; and (6) provide an accession bonus for certain pharmacy officers of the uniformed service.

(Sec. 117) Extends through the date specified in Sec. 107 the authority of the President to waive certain sanctions imposed on foreign persons in Pakistan before January 1, 2001, for violation of prohibitions of the Arms Export Control Act or the Export Administration Act of 1979 against the transfer of items on the Missile Technology Control Regime.

Provides that the prohibitions on the use of funds appropriated under the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 to provide assistance to any country whose duly elected head of government is deposed by military coup or decree, or to furnish assistance to any country in default in excess of a year on payments on a U.S. loan, shall not apply with respect to Pakistan through the date specified in Sec. 107.

(Sec. 118) Continues through the date specified in Sec. 107 programs, activities, eligibility requirements, and advisory committees authorized under the Higher Education Act of 1965.

(Sec. 119) Amends the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 to apply a specified earmark of funds for assistance to certain candidate countries under the Millennium Challenge Act of 2003 to funds made available by this joint resolution.

(Sec. 120) Amends the Emergency Wartime Supplemental Appropriations Act, 2003 to extend through the date specified in Sec. 107 the authority of the Chief Financial Officer of the District of Columbia with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period.

(Sec. 121) Amends the Panama Canal Act of 1979 to terminate the Panama Canal Commission and the Office of Transition Administration on October 1, 2004.

Transfers, upon such termination, the Panama Canal Revolving Fund to the General Services Administration. Specifies the use of such Fund.

(Sec. 122) Makes funding available for administrative expenses of the: (1) Federal Highway Administration; (2) Bureau of Transportation Statistics; (3) National Highway Traffic Safety Administration; (4) Federal Motor Carrier Safety Administration; and (5) Federal Transit Administration (FTA), in accordance with authorized FTA programs.

Makes funding available for the Federal Motor Carrier Safety Administration to make grants to and enter into contracts with States for personnel costs for implementation of commercial motor carrier safety improvement grants and contracts, commercial driver's license program improvements, border enforcement operations, and new motor carrier entrant requirements.

Deems the availability of funding with regard to contract authority to be direct spending.

Continues amounts appropriated or credited to the Highway Trust Fund after the date of any expenditure pursuant to this joint resolution.

(Sec. 123) Authorizes the Overseas Private Investment Corporation to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq, subject to the regular notification procedures of the Committees on Appropriations, through the date specified in Sec. 107.

(Sec. 124) Directs the Secretary of Housing and Urban Development to make \$14.61 million available from amounts appropriated in FY 2004 under the heading "Housing for Persons With Disabilities" in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004 for amendments to existing tenant-based assistance contracts entered into before FY 2004 pursuant to the Cranston-Gonzalez National Affordable Housing Act (with only one amendment authorized for any such contract).

(Sec. 125) Amends the Surface Mining Control and Reclamation Act of 1977 to extend the deadline for the payment of reclamation fees by operators of coal mining operations through the date specified in Sec. 107.

(Sec. 126) Continues through the date specified in Sec. 107 certain activities for entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for FY 2004, and for activities under the Food Stamp Act of 1977. Declares that, notwithstanding such date, funds shall be available and obligations for mandatory payments due on or about November 1 and December 1, 2004, may continue to be made.

(Sec. 127) Provides a maximum of: (1) \$5.087 billion for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); and (2) \$7.8 million for the Election Assistance Commission "Salaries and Expenses."

(Sec. 129) Makes funds available under this joint resolution for "Bureau of Indian Affairs - Indian Land and Water Claims Settlements and Miscellaneous Payments to Indians" available for payments by the United States pursuant to the settlement of Seneca Nation of Indians v. State of New York.

(Sec. 130) Deems that amounts made available under this joint resolution to carry out assistance in State workers' compensation proceedings in Public Law 106-398 include transfers of funds from other accounts made during FY 2004 to carry out such purposes.

(Sec. 131) States that in the Ricky Ray Hemophilia Relief Fund Act of 1998 the terms "expended" and "payment" shall mean "delivered orders-obligations unpaid" as defined in the United States Standard General Ledger Accounts and Definitions.

(Sec. 132) Provides \$2.5 million for expenses necessary to carry out the Presidential Transition Act of 1963.

(Sec. 133) Amends the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 under the heading "Iraq Relief and Reconstruction Fund" to: (1) increase funding for security and law enforcement from \$3.243 billion to \$5.090 billion; (2) increase funding for justice, public safety infrastructure, and civil society from \$1.318 billion to \$1.960 billion; (3) decrease funding for the electric sector from \$5.560 billion to \$4.455 billion; (4) decrease funding for oil infrastructure from \$1.890 billion to \$1.723 billion; (5) decrease funding for water resources and sanitation from \$4.332 billion to \$2.361 billion; (6) increase funding for private sector development from \$153 million to \$845 million; and (7) increase funding for education, refugees, human rights and governance from \$280 billion to \$342 billion.

(Sec. 134) Amends the Act to increase from \$29 million to \$119 million funds made available for administrative expenses of the United States Agency for International Development (USAID) for support of the reconstruction activities in Iraq.

Prohibits such funds from being made available to USAID (currently, the Coalition Provisional Authority) for administrative expenses or to pay for a Federal agency's administrative expenses regarding the funds.

(Sec. 135) Enacts into law provisions of H.R. 4818 as passed by the House of Representatives on July 15, 2004, that provide for: (1) the availability of certain funds for debt restructuring for Iraq; and (2) a shift from the Director of the Office

of Management and Budget to the Secretary of State of responsibility for a report to Congress on the proposed uses, on a project-by-project basis over a certain three-month period, of appropriations for oversight of Iraq reconstruction.

Limits to \$360 billion the funds available for Iraq debt restructuring.

(Sec. 136) Requires the Corps of Engineers, during the portion of FY 2005 covered by this joint resolution, to continue work on all uncompleted projects underway in FY 2004, notwithstanding budget proposals to withhold funding for shore protection and certain construction projects. Prohibits the Corps from diverting funds into any reserve fund not specifically authorized by an Act of Congress.

Actions Timeline

- **Sep 30, 2004:** Message on Senate action sent to the House.
- **Sep 30, 2004:** Presented to President.
- **Sep 30, 2004:** Presented to President.
- **Sep 30, 2004:** Signed by President.
- **Sep 30, 2004:** Signed by President.
- **Sep 30, 2004:** Became Public Law No: 108-309.
- **Sep 30, 2004:** Became Public Law No: 108-309.
- **Sep 29, 2004:** Rule H. Res. 802 passed House.
- **Sep 29, 2004:** Considered under the provisions of rule H. Res. 802. (consideration: CR H7778-7786)
- **Sep 29, 2004:** Rule provides for consideration of H.J. Res. 107 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
- **Sep 29, 2004:** DEBATE - The House proceeded with one hour of debate on H.J. Res. 107.
- **Sep 29, 2004:** The previous question was ordered pursuant to the rule. (consideration: CR H7784)
- **Sep 29, 2004:** Mr. Obey moved to recommit with instructions to Appropriations. (consideration: CR H7783-7785; text: CR H7783)
- **Sep 29, 2004:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Obey motion to recommit with instructions.
- **Sep 29, 2004:** On motion to recommit with instructions Failed by the Yeas and Nays: 200 - 221 (Roll no. 478).
- **Sep 29, 2004:** Passed/agreed to in House: On passage Passed by recorded vote: 389 - 32 (Roll no. 479).(text: CR H7778-7779)
- **Sep 29, 2004:** On passage Passed by recorded vote: 389 - 32 (Roll no. 479). (text: CR H7778-7779)
- **Sep 29, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2004:** Passed/agreed to in Senate: Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S9993)
- **Sep 29, 2004:** Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S9993)
- **Sep 28, 2004:** Introduced in House
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- **Sep 28, 2004:** Referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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- **Sep 28, 2004:** Rules Committee Resolution H. Res. 802 Reported to House. Rule provides for consideration of H.J. Res. 107 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.